

Victim-Witness Assistance Program

U.S. Department of Justice



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VICTIM – WITNESS ASSISTANCE

The goal of the Victim-Witness Assistance Program in the United States Attorney's Office is to ensure that victims of federal crime are treated with fairness and respect, and receive the services to which they are entitled to. A variety of notification and assistance services are available.

Notification Services

When a case reaches the prosecution stage in the criminal justice system, notification will be provided to the victims. Notification includes the filing of charges against the suspected offender, the custody status of the offender, the scheduling of court hearings, the terms of any negotiated plea or a verdict after trial, the opportunity to provide a victim impact statement, the date of sentencing, the sentencing judgment, and post sentencing notifications. The most common method of notification is by letter.

Other Assistance

For those needing additional assistance as a result of the crime, referrals can be made to agencies which provide direct services and there is assistance with the court process, court waiting areas, translator services, and employer contact. Additional services are available for child victims and witnesses.

RIGHTS OF CRIME VICTIMS 18 U.S.C. Section 3771

As a federal crime victim, you have the following rights:

- The right to be reasonably protected from the accused.
- The right to reasonable, accurate, and timely notice of any public court proceeding, or any parole proceeding, involving the crime or any release or escape of the accused.

RIGHTS OF CRIME VICTIMS

18 U.S.C. Section 3771

(continued)

As a federal crime victim, you have the following rights:

- The right not to be excluded from any such public court proceeding, unless the court, after receiving clear and convincing evidence, determines that testimony by the victim would be materially altered if the victim heard other testimony at that proceeding.
- The right to be reasonably heard at any public proceeding in the district court involving release, plea, sentencing, or any parole proceeding.
- The reasonable right to confer with the attorney for the Government in the case.
- The right to full and timely restitution as provided by law.
- The right to proceedings free from unreasonable delay.
- The right to be treated with fairness and with respect for the victim's dignity and privacy.

PROSECUTION STEPS

Listed below are the steps in the federal criminal justice system. Depending on the case, not every step will occur.

- Filing of criminal complaint, Information, or Indictment
- Arrest of the offender, if not already in custody
- Initial Appearance by the offender in court
- Detention Hearing
- Preliminary Hearing
- Grand Jury Hearing
- Arraignment and Plea
- Hearings on Motions
- Change of Plea to Guilty or Trial
- Verdict
- Sentencing
- Appeal

PROSECUTION STEPS

There are many cases in which the offender will change the initial "not guilty" plea to "guilty". When the offender changes his/her plea to guilty, the case will not go to trial, and as a victim or witness, you will not have to testify in court. If the case does go to trial, and you do not reside on Oahu, the U.S. Attorney's Office will make the necessary travel arrangements for your appearance in court. You will receive advance notification, appropriate witness fees, and per diem for the days you are required to be in Hawaii for testimony.

Advice Of An Attorney

As a crime victim, you can seek the advice of an attorney with respect to the rights described under Crime Victims' Rights, 18 U.S. C. Section 3771 listed on the prior page.

IMPACT OF CRIME

Victims and witnesses are impacted by crime financially, physically, and/or emotionally. Although everyone reacts differently, victims and witnesses report some common behaviors:

- Increased concern for personal safety and family members.
- Difficulty handling everyday problems, at times, feeling overwhelmed.
- Going over the circumstances of the crime again and again.
- Trouble concentrating, loss of appetite, and loss of sleep.
- Anger, frustration, and confusion.
- Difficulties from financial loss.
- Feelings of vulnerability and helplessness are frequent right after victimization.
- A similar sight, sound, or smell that was present at the time of the crime may trigger similar reactions.

All of these reactions are normal to a traumatic event and hopefully, will lessen over time. If you continue to experience these reactions over a long period of time, contact the Victim Witness Coordinator.

VICTIM OF A VIOLENT CRIME

If you suffered bodily injury or the loss of a loved one as a result of a violent crime, the State of Hawaii's Crime Victim Compensation Commission helps with crime related costs. You may be eligible to receive compensation for out-of-pocket medical expenses, counseling expenses, lost wages, or funeral and burial expenses. For information, contact:

Crime Victim Compensation Commission
State of Hawaii, Public Safety Department
1136 Union Mall, Suite 600
Honolulu, HI 96813
Phone: (808) 587-1143
Fax: (808) 581-1146
www.hawaii.gov/cvcc

Victim Notification System

In order to provide victims with information and notification on case events, the Department of Justice utilizes a computer-based system which the victim can access by telephone at no cost, 24 hours a day, everyday. The victim will receive a Victim Identification Number (VIN) and a Personal Identification Number (PIN) to use to access the system. This information will be sent in a letter to the victim.

For more information contact:

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